

AG Contract No. KR02-1759TRN
ADOT ECS File: JPA 02-100-**Amendment 1**
Project: G 1051 07C
Section: Economic Strength Program (ESP)
Grant: Reconstruct 9.61 miles of
Thornton and Peters Roads

AMENDMENT NO. ONE (1)
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF CASA GRANDE, ARIZONA

THIS AMENDMENT, entered into May 5th 2003, **Amendment Number 1** to JPA 02-100, AG Contract No.: KR02-1759TRN, filed 25 October 2002, filed with the Secretary of State under No. 25582, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF CASA GRANDE, acting by and through its CITY COUNCIL (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 11-201 and 28-7282 et seq. to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the City.

THIS AGREEMENT is amended to include the following changes in cost estimates:

#01
NO. 25582
Filed with the Secretary of State
Date Filed: 05/05/03

Janice K. Brewer
Secretary of State

By: Dan D. Greenwald

II. SCOPE OF WORK

1. The City will:

a. Insure the additional commitment of 64.00% of the total estimated Project cost, or \$139,552.00, whichever is more, from the City or other sources (not including ESP funds) to the Project. Accomplish construction of the Project by public bidding, in strict compliance with State procurement laws, rules and regulations. Upon completion, approve and accept the Project on behalf of the City and provide maintenance.

III. MISCELLANEOUS PROVISIONS

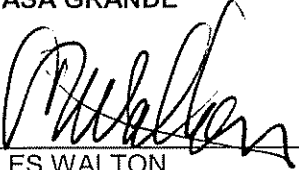
3. The total amount of ESP funds expended under this agreement shall not exceed 36.00% of the total Project cost. Should the Project not be completed, be partially completed, or be completed at a lower cost than the advanced amount, or for any other reason should any of these ESP funds not be expended, a proportionate amount of the funds provided under this agreement shall be reimbursed to the State.

All other terms and conditions of the original Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

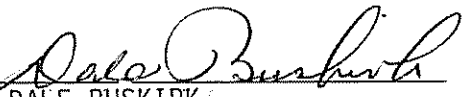
CITY OF CASA GRANDE

By


CHARLES WALTON
Mayor**STATE OF ARIZONA**

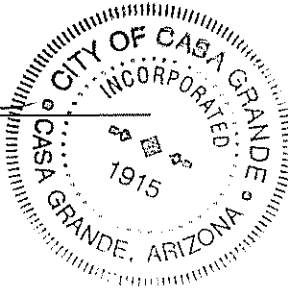
Department of Transportation

By


DALE BUSKIRK
ACTING DIVISION DIRECTOR
TRANSPORTATION PLANNING DIVISION

ATTEST

By


GLORIA LEIJA
City Clerk

RESOLUTION NO. 3213.1

A RESOLUTION OF THE COUNCIL OF THE CITY OF CASA GRANDE, ARIZONA, APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE ECONOMIC STRENGTHS PROGRAM.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CASA GRANDE, ARIZONA, authorizing an amendment to the Intergovernmental Agreement with the Arizona Department of Transportation for the Economic Strengths Program.

PASSED AND ADOPTED by the Mayor and Council of the City of Casa Grande, Arizona, this 7th day of April, 2003.

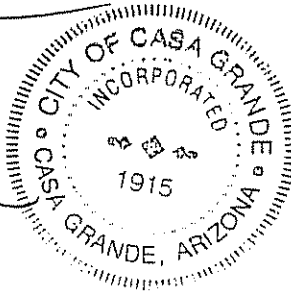
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney



APPROVAL OF THE CITY OF CASA GRANDE ATTORNEY

I have reviewed the above referenced proposed amendment no. 1 to this intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the CITY OF CASA GRANDE and declare this amendment to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this amendment.

DATED this 3RD day of April, 2003.

Kay Bigelow

Attorney



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE 602.542.8859

TERRY GODDARD
ATTORNEY GENERAL

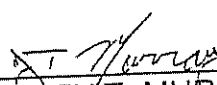
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR02-1759TRN (JPA 02-100-Amendment 1), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED April 23, 2003.

TERRY GODDARD
Attorney General



JEFFREY T. MURRAY
Assistant Attorney General
Transportation Section

/ss

att.